

(D) The property located in the town of Fremont that is bounded as follows: Beginning at a point on Babcock Road that intersects a farm road marked by latitude/longitude coordinates 42°26'12.5", -77°34'30.4"; then west along the farm road to coordinates 42°26'12.2", -77°34'41.0"; then south to coordinates 42°26'09.6", -77°34'40.9"; then west to coordinates 42°26'09.4", -77°34'50.7"; then south to coordinates 42°26'00.7", -77°34'50.3"; then east to coordinates 42°25'59.9", -77°34'40.4"; then south to coordinates 42°25'54.7", -77°34'40.0"; then east to coordinates 42°25'56.3", -77°34'37.7"; then north to coordinates 42°25'58.9", -77°34'35.0"; then east to coordinates 42°25'58.9", -77°34'34.1"; then north to coordinates 42°26'05.8", -77°34'32.5"; then east to coordinates 42°26'05.7", -77°34'29.9"; then north to the point of beginning at coordinates 42°26'12.5", -77°34'30.4".

*Suffolk County.* The entire county.

*Wayne County.* The town of Savannah.

(2) *Suppressive area:* None.

[51 FR 30050, Aug. 22, 1986, as amended at 69 FR 249, Jan. 5, 2004; 69 FR 64640, Nov. 8, 2004; 76 FR 60358, Sept. 29, 2011]

#### § 301.85-2b Exempted articles.<sup>1</sup>

(a) The following articles are exempt from the certification and permit requirements of this subpart if they meet the applicable conditions prescribed in paragraphs (a) (1) through (4) of this section and have not been exposed to infestation after cleaning or other handling as prescribed in said paragraphs:

(1) Small grains, if harvested in bulk or directly into approved containers, and if the small grains and containers thereof have not come into contact with the soil; or, if they have been cleaned to meet State seed sales requirements.

(2) Soybeans (other than for seed), if harvested in bulk or directly into approved containers, and if the soybeans and containers thereof have not come into contact with the soil.

(3) Unshucked ear corn, if harvested in bulk or directly into approved containers, and if the corn and containers thereof have not come into contact with the soil.

(4) Used farm tools, if cleaned free of soil.

(b) The following articles are exempt from the certification and permit re-

quirements of this subpart if they meet the applicable conditions prescribed in paragraphs (b) (1) through (3) of this section and have not been exposed to infestation after cleaning or other handling as prescribed in said paragraphs: *Provided*, That this exemption shall not apply to any class of regulated articles specified by an inspector in a written notification to the owner or person in possession of the premises that the movement of such articles from such premises under this exemption would involve a hazard of spread of the golden nematode:

(1) Root crops (other than Irish potatoes and sugar beets), if moved in approved containers.

(2) Hay, straw, fodder, and plant litter, if moved in approved containers.

(c) Containers of the following types are approved for the purposes of this section:

(1) New paper bags; and consumer packages of any material except cloth or burlap.

(2) Crates, pallet boxes, trucks, and boxcars, if free of soil.

[35 FR 4692, Mar. 18, 1970, as amended at 47 FR 12331, Mar. 23, 1982; 67 FR 8465, Feb. 25, 2002]

#### § 301.85-3 Conditions governing the interstate movement of regulated articles from quarantined States.<sup>2</sup>

(a) Any regulated articles except soil samples for processing, testing, or analysis may be moved interstate from any quarantined State under the following conditions:

(1) With certificate or permit issued and attached in accordance with §§ 301.85-4 and 301.85-7 if moved:

(i) From any generally infested area or any suppressive area into or through any point outside of the regulated areas; or

(ii) From any generally infested area into or through any suppressive area; or

(iii) Between any noncontiguous suppressive areas; or

(iv) Between contiguous suppressive areas when it is determined by an inspector that the regulated articles

<sup>1</sup>The articles hereby exempted remain subject to applicable restrictions under other quarantines and other provisions of this subpart.

<sup>2</sup>Requirements under all other applicable Federal domestic plant quarantines must also be met.